

### **REMARKS**

This application has been reviewed in light of the Non-Final Office Action dated June 12, 2008 (hereinafter referred to as the "Office Action"). Upon entry of this paper and the amendments set forth herein, Claims 1-5, 16-18 and 21-22 are pending in the present application. In this paper, Claims 6-15, 19-20 and 23-30 are cancelled. Also in this paper, Claims 1-5, 16-18 and 21-22 are amended. Support for these amendments may be found in the application as published (U.S. Publication No. 2005/0065963) at least at paragraphs [0196] – [0201]. Applicants respectfully submit that no new matter is added by these amendments. For at least the reasons set forth in detail below, Applicants respectfully submit that Claims 1-5, 16-18 and 21-22 are in condition for allowance.

#### **The 35 U.S.C. §102(a) Rejection of Claims 1-30 based on Jagadish**

In the Office Action, original Claims 1-30 were rejected pursuant to 35 U.S.C. §102(a) as anticipated by the publication titled "TIMBER: A native XML database", the VLDB Journal, December 19, 2002, by Jagadish et al. (herein "Jagadish"). It is well-established that for a reference to defeat a claim's novelty under 35 U.S.C. §102, it must disclose each and every element of the claim. Applicants respectfully submit that the §102 rejection based on Jagadish is inapplicable to the claims as amended, for at least the reasons set forth in detail below.

Independent Claims 1 and 16 have been amended to call for a method (Claim 1) and system (Claim 16) according to an embodiment of the present invention which relate to the processing of a collection of tree data structures in a computer-readable database. As amended, the claims call for the identification of a plurality of disjoint sets of trees in the collection of tree data structures, each tree in the respective set of trees having a same structure and including at least one leaf node having a value. For each of the plurality of disjoint sets of trees, a pattern is

formed which has the same structure as each tree in the set of trees thereby generating a set of patterns.

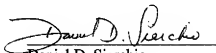
As distinguished from Jagadish, the method and system of the present application store the set of patterns in a computer-readable memory in lieu of storing the plurality of sets of trees corresponding to each pattern. In addition, the claims of the present application call for the storage of the leaf nodes of each tree. Advantageously, as described in paragraphs [0196] -- [0201] of the present application, the generation and storage of representative patterns and associated leaf nodes for every tree in the collection of trees results in a reduction in the required storage capacity of the database. The section in Jagadish related to 'data storage' (page 276, section 3.1) does not describe the identification of a set of patterns nor the storage of same in lieu of storing the complete tree structure of every tree in each of the sets of trees.

Furthermore, Jagadish fails to teach the processing of a set of patterns with distributed processors, wherein each distributed processor processing one or more of the patterns in the set of patterns. In the Office Action, the Examiner argues that Jagadish teaches distributed processing of one or more of the patterns in the set of patterns. However, the sections of Jagadish relied on by the Examiner in support of this argument fail to teach the processing of the set of patterns with distributed processors, wherein each distributed processor processes one or more of the patterns in the set of patterns, as called for in Claims 1-5, 16-18 and 21-22 of the present application. (Office Action, page 5, paragraph 15). As provided in paragraph [0200], by storing the set of patterns and leaf nodes separately, in lieu of the complete structure of every tree in the collection of trees, distributed "processing on each set of trees can be delegated to different processors to be processed independently, thereby reducing response time". (U.S. Publication No. 2005/0065963, paragraph [0200]).

In view of the above amendments and for at least the reasons set forth above, Applicants respectfully submit that Jagadish fails to teach each and every element of the presently pending claims. Accordingly, Applicants request that the 35 U.S.C. §102(a) rejection based on Jagadish be withdrawn, and that Claims 1-5, 16-18 and 21-22 be placed in condition for allowance.

In the event that any issues remain following entry of this Response, Applicants' attorney respectfully invites the Examiner to contact the undersigned at the telephone number given below. Applicants ask that all correspondence related to this matter continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Daniel D. Sierchio", is written over a horizontal line.

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